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UNITED STATES PATENT & TRADEMARK OFFICE

FACSIMILE COVER SHEET

Date: December 28, 2004

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MESSAGE : Attn: Examiner: Kartic Padmanabhan

Group Art Unit: 1641

Dear Examiner Padmanabhan

Pursuant to your telephone conversation, enclosed is an Amendment
including Claims 37 and 52.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper for Registration or Serial No. 09/582,609 is being facsimile
transmitted to the Patent and Trademark Office on the date indicated below.

Peter J. Shen

Attorney Name



Signature

December 28, 2004


Date

(TO BE COMPLETED IN DUPLICATE)

File Number: A33331

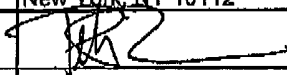
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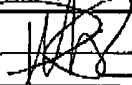
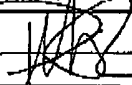
NY02:430466.1

BAKER BOTTS LLPPlease type a plus sign (+) inside this box → 

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/582,609
	Filing Date	September 6, 2000
	First Named Inventor	Gunter Fuhr
	Group Art Unit	1641
	Examiner Name	Padmanabhan, K.
Total Number of Pages in This Submission	Attorney Docket Number	A33331 PCT USA

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ Remarks <input type="checkbox"/>	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Amended Amendment

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112	
Signature		Att Name: Peter J. Shen PTO Reg: 52,217
Date	12-28-2004	

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: 12-28-2004		
Typed or printed name	Peter J. Shen 	
Signature		Date 12-28-2004

BAKER BOTTS LLP

Attorney Docket Number: A33331 PCT USA

Title: PROCESS AND DEVICES TO MEASURE, CALIBRATE AND USE LASER TWEEZERS

Use Space Below for Additional Information:

PTO/SB/17 (10-04)

Approved for use through 07/31/2008. OMB 0651-0032

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FEE TRANSMITTAL

for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 0)

Complete if Known

Application Number 09/582,609
 Filing Date September 6, 2000
 First Named Inventor Gunter Fuhr
 Examiner Name Padmanabhan, K.
 Art Unit 1641
 Attorney Docket No. A33331 PCT USA

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

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Baker Botts L.L.P.

The Director is authorized to: (check all that apply)

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☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20 = -20	X	= 0
Multiple Dependent	-3 = -3	X	= 0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 88	2201 44	Independent claims in excess of 3	
1203 300	2203 150	Multiple dependent claim, if not paid	
1204 88	2204 44	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

SUBMITTED BY

Name (Print/Type) Peter J. Shen

Signature

Registration No. (Attorney/Agent)

52,217

(Complete if applicable)

Telephone 212-408-2500

Date 12-28-2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

A33331 PCT USA -070180.0137
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gunter Fuhr

On Appeal to the Board of
Appeals and Interferences

Serial No. : 09/582,609

Filed : September 6, 2000

Examiner: Padmanabhan, K.

For : PROCESS AND DEVICES TO
MEASURE, CALIBRATE
AND USE LASER TWEEZERS

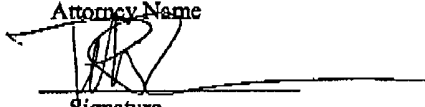
Art Unit: 1641

AMENDED AMENDMENT

I hereby certify that this paper for S/N 09/582,609 is being by facsimile
transmitted to the Patent Office, facsimile number 571-273-0825 on the dated
indicated below.

December 28, 2004

Date of Deposit

Peter J. Shen
Attorney Name52,217
PTO Registration No.
SignatureDecember 28, 2004
Date of Signature

Commission for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the telephone request of the Examiner, Applicant submits a corrected version
of the Amendment filed on September 14, 2004 which now includes Claim 37 and Claim 52.

This paper is filed in response to a telephone call from Examiner Padmanabhan on June
29, 2004 during which he indicated that all pending claims, except the "device" claims would be
allowable. On July 15, 2004 the PTO issued its "Examiner's Answer." On September 9, 2004,
the Applicant authorized the cancellation of the device claims, without prejudice, however, to the
filing of a divisional/continuation application in which further prosecution of said cancelled
claims may be pursued. Accordingly, please amend the application as set forth below.

Amendment to the claims begin on page 2 of this paper.

NY02:498074.1

- 1 -